

United States Court of Appeals For the First Circuit

No. 11-1372

ANTHONY J. SCIBELLI, Executor of the Estate of Walter Jajuga; ESTATE OF WALTER
JAJUGA; KRISTIN A. JAJUGA-MONTEITH; VINCENT M. JAJUGA;
ANTHONY C. JAJUGA,

Plaintiffs, Appellants,

v.

PRUDENTIAL INSURANCE COMPANY OF AMERICA,

Defendant, Appellee.

JUDGMENT

Entered: January 11, 2012

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's grant of summary judgment in favor of Prudential Insurance Company of America is reversed, and the plaintiffs are entitled to judgment. The matter is remanded with instructions that an order be issued requiring Prudential Insurance Company of America to award benefits to the beneficiaries of Jajuga's Group Policy according to the terms of that policy, with any interest to which they may be entitled. Plaintiffs are awarded costs.

By the Court:

/s/ Margaret Carter, Clerk

cc: Hon. Michael J. Ponsor, Ms. Sarah Thornton, Clerk, United States District Court for the District of Massachusetts, Mr. Low, Mr. DiCarlo & Mr. Ryan.